

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Equal Employment Opportunity
Commission,

Plaintiff,

vs.

American Airlines Inc., et al.,

Defendants.

No. CV-17-04059-PHX-SPL

ORDER

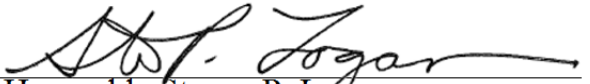
Before the Court is the parties' Motion for Approval of Consent Decree. (Doc. 4.) "A consent decree is essentially a settlement agreement subject to continued judicial policing." *United States v. State of Oregon*, 913 F.2d 576, 580 (9th Cir. 1990) (internal quotation marks omitted). *See also Conservation Northwest v. Sherman*, 715 F.3d 1181 (9th Cir. 2013) ("A consent decree is a hybrid; it is both a settlement and an injunction."). It therefore follows that "[b]efore approving a consent decree, a district court must be satisfied that it is at least fundamentally fair, adequate and reasonable." *Oregon*, 913 F.2d at 580; *see also Turtle Island Restoration Network v. U.S. Dept. of Commerce*, 672 F.3d 1160, 1165 (9th Cir. 2012) ("A district court may approve a consent decree when the decree is 'fair, reasonable and equitable and does not violate the law or public policy.'" (quoting *Sierra Club, Inc. v. Elec. Controls Design, Inc.*, 909 F.2d 1350, 1355 (9th Cir. 1990))). The consent decree "need not impose all the obligations authorized by law," *Oregon*, 913 F.2d at 580, but "must spring from, and serve to resolve, a dispute

1 within the court's subject-matter jurisdiction; must come within the general scope of the
2 case made by the pleadings; and must further the objectives of the law upon which the
3 complaint was based," *Frew ex rel. Frew v. Hawkins*, 540 U.S. 431, 437 (2004).

4 Finding there is insufficient information upon which the Court can determine
5 whether the decree should be approved, the parties will be directed to supplement their
6 motion and address why the agreement represents a fair, adequate and reasonable
7 resolution of the claims in the Complaint (Doc. 1). Accordingly,

8 **IT IS ORDERED** that the parties shall have until **November 14, 2017** to file a
9 supplemental memorandum in accordance with this Order in support of the Motion for
10 Approval of Consent Decree (Doc. 4).

11 Dated this 8th day of November, 2017.

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14 Honorable Steven P. Logan
15 United States District Judge
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